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1771

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTY.'S DOCKET: SCHULZ=2

In re Application of: ) Art Unit: 1771  
Wolfgang SCHULZ ) Examiner: C. PRATT  
Appln. No.: 09/826,369 ) Washington, D.C.  
Filed: April 5, 2001 ) July 1, 2003  
For: AWNING FABRIC AND PROCESS... ) Confirmation No.: 4003  
)

**INFORMATION DISCLOSURE STATEMENT [IDS]**

Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[ ] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[ ] B. before the mailing date of a first office action on the merits.

[X] C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

[ ] i. Counsel certifies that, upon information and belief, each item of information listed herein was either

[ ] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

[ ] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

[X] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO/SB/08A) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached.

[X] 3. Document AH is not in the English language. In accordance with §1.98(a)(3), Applicant states:

A concise explanation of the relevance of document AH is found in the attached European search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

[ ] 5. Other information being provided for the examiner's consideration follows:

Document AH (IT 1 245 508 B) was mentioned in the European Search Report in category "X". This document describes a polyester filament yarn for a sun roof. However, the yarn used is dyed with the production of the yarn by spinneret dyeing and not by wet dyeing as in accordance with the present invention.

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

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Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	09/826,369
(use as many sheets as necessary)				Filing Date	April 5, 2001
				First Named Inventor	Wolfgang SCHULZ
				Group Art Unit	1771
				Examiner Name	C. Pratt
				Attorney Docket Number	SCHULZ=2
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## **U.S. PATENT DOCUMENTS**

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## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.